

Electronically Recorded

Tarrant County Texas

Official Public Records

9/8/2010 2:52 PM

D210220103

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.**

**AMENDMENT OF OIL AND GAS LEASE**

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TARRANT

§

WHEREAS, Irene Smith, a widow, by her Guardian Chantel Adames ("Lessor"), whose address is 804 Packard Drive, Arlington TX 76001, executed an Oil and Gas Lease dated March 8, 2008 (the "Lease"), which is recorded as Instrument #D208115661 in the Official Public Records of Tarrant County, Texas, in favor of Whitestone Resource, LLC ("Original Lessee"), covering Lot 17, Block 1, Brookhaven Estates, as more particularly described in the Lease;

WHEREAS, the Lease and all rights thereunder are now owned and held by XTO Energy Inc., whose address is 810 Houston Street, Fort Worth, Texas 76102 ("Lessee"), as the successor in interest to Original Lessee under the terms of the Lease; and

WHEREAS, Lessor and Lessee desire to amend the Lease as set forth herein.

NOW, THEREFORE, for Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree to amend the Lease as follows:

In Paragraph 5 of the Lease, "320 acres" is hereby deleted and replaced with "640 acres".

Lessor hereby adopts, ratifies, and confirms the Lease as to all of the terms and provisions therein, as amended by this Amendment of Oil and Gas Lease, and for the same consideration, Lessor does hereby lease, grant, demise, and let the lands covered by the Lease unto Lessee, its successors and assigns, in accordance with all of the terms and provisions of the Lease, as amended hereby.

Except as amended by this Amendment of Oil and Gas Lease, the Lease is and remains in full force and effect as originally written.

This Amendment is executed this the 23<sup>rd</sup> day of August, 2010, but shall be effective for all purposes as of March 8, 2008.

LESSOR(s):

Irene Smith

Irene Smith, by her Guardian Chantel Adames

LESSEE:

XTO ENERGY INC.

By: Edwin S. Ryan, Jr.Name: Edwin S. Ryan, Jr.Title: Sr. VP - Land Administration

**ACKNOWLEDGEMENTS**

STATE OF TEXAS

§

COUNTY OF Tarrant

§

This instrument was acknowledged before me on this 23<sup>rd</sup> day of August, 2010, by Chantel Adames guardian for Irene Smith.

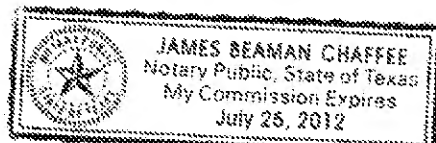
James Beaman Chaffee  
Notary Public

STATE OF TEXAS

§

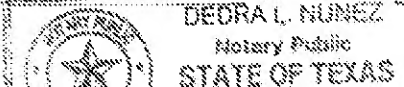
COUNTY OF TARRANT

§



This instrument was acknowledged before me on this the 1<sup>st</sup> day of September, 2010, by Edwin S. Ryan, Jr.

Sr. VP - Land Administration, XTO Energy Inc., a Delaware corporation, on behalf of said corporation.



Diana S. Nunez  
Notary Public